

THE ATKIN FIRM, LLC

Formed in the State of New Jersey

By: John C. Atkin, Esq.

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Attorneys for Plaintiff Strike 3 Holdings, LLC

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP
address 173.63.123.216,

Defendant.

Civil Case No. 2:21-cv-15651-KSH-LDW

**SUPPLEMENTAL
CERTIFICATE OF SERVICE**
Document Filed Electronically

JOHN C. ATKIN, hereby certifies as follows:

1. I am an attorney-at-law of the State of New Jersey, admitted to practice before the Courts of the State of New Jersey and the United States District Court for the District of New Jersey, and a member of The Atkin Firm, LLC, counsel for Plaintiff Strike 3 Holdings, LLC (“Plaintiff”). I make this supplemental certification based on personal knowledge regarding service of Plaintiff’s motion for the entry of Default Judgement against Defendant John Doe

subscriber assigned IP address 173.63.123.216 a/k/a [REDACTED] (“Defendant”), pursuant to Federal Rule of Civil Procedure 55(b), and associated documents.

2. On May 6, 2022, I caused a copy of Plaintiff’s Notice of Motion for Entry of Default Judgment; Memorandum of Law in support thereof; the Certification of John C. Atkin, Esq.; a proposed form of Order; and this certificate of service, to be served (in both redacted and unredacted form) (collectively, “Plaintiff’s Default Judgment Motion Papers”) on Defendant *via* First Class Mail and Certified Mail. *See* D.E. 17-4 & 21.

3. On May 12, 2022, I received the First Class Mailing of Plaintiff’s Default Judgment Motion Papers returned by the United States Postal Service (“USPS”), indicating that the address was “not known” to USPS.

4. On May 12, 2022, I reviewed the USPS website for the status of the Certified Mailing of Plaintiff’s Default Judgment Motion Papers, which indicated that that mailing was also being returned to sender based on the address being “unknown” to USPS.

5. On May 12, 2022, I also received the copy of Plaintiff’s April 18, 2022 request for entry of default that had been sent to Defendant via Certified Mail, *see* D.E. 14 & 15, which was returned by USPS and indicated the address was “not known” to USPS.

6. To date, the Regular Mailing to Defendant of Plaintiff's April 18, 2022 request for entry of default to Defendant has not been returned as undeliverable. *See* D.E. 14 & 15.

7. On May 12, 2022, I reviewed the USPS website for the status of the Certified Mailing of Plaintiff's March 16, 2022 letter. D.E. 17-2 (Ex. A), D.E. 19 (Ex. A). In contrast to the above items, USPS's website indicates that USPS left notice of the Certified Mailing of the March 16, 2022 letter at Defendant's residence on March 21, 2022, before returning the Certified Mailing of the March 16, 2022 letter with a stamp stating "RETURN TO SENDER, UNCLAIMED, REFUSED." A true and correct copy of the returned envelope for the Certified Mailing of the March 16, 2022 letter is attached hereto as **Exhibit A**.

8. To date, the Regular Mailing of Plaintiff's March 16, 2022 letter to Defendant has not been returned as undeliverable. *See* D.E. 17-2 (Ex. A), D.E. 19 (Ex. A).

9. On May 12, 2022, Plaintiff placed Plaintiff's Default Judgment Motion Papers (in both redacted and unredacted form) with a process server, Guaranteed Subpoena "(GSS)", and requested that expedited personal service be made on Defendant.

10. On May 15, 2022, GSS effected personal service of Plaintiff's Default Judgment Motion Papers on Defendant. A true and correct copy of GSS's Declaration of Service is attached as **Exhibit B**.

11. On May 16, 2022, I caused a copy of this document and attached exhibits to be served on Defendant *via* Regular Mail.

12. I certify that the foregoing statements made by me are true and correct. I am aware that if any of the foregoing statements are willfully false, I may be subject to punishment.

Dated: May 16, 2022

Respectfully submitted,

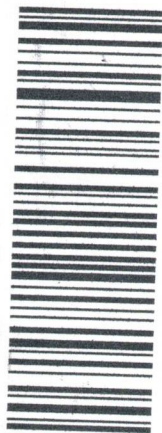
THE ATKIN FIRM, LLC

/s/ John C. Atkin

John C. Atkin, Esq.

Ex. A

The Atkin Firm, LLC
55 Madison Avenue, Suite 400
Morristown, NJ 07960



7017 1120 0001 6578 3685



1000



07974

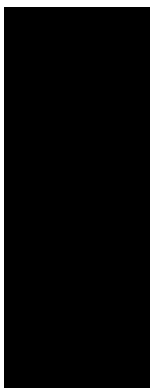
U.S. POSTAGE PAID
FCM LETTER
BASKING RIDGE, NJ
07920
MAR 16 22
AMOUNT

\$6.18
R2305K138004-01

RETURN TO SENDER,
UNCLAIMED,
REFUSED

3/21/22

UNCLAIMED,
UNCL. TO SENDER,
REFUSED



UNCL. TO SENDER,
1st NOTICE
2nd NOTICE
REFUSED



Ex. B



20220512154431

AO 440 (Rev. 06/12) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **NOTICE OF MOTION, MEMORANDUM OF LAW, CERTIFICATIONS, EXHIBITS, PROPOSED ORDER,**
 EFFECTED (1) BY ME: **LOUIS LISI**
 TITLE: **PROCESS SERVER**

DATE: 5/15/2022 1:52:06 PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant

Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant **SELF**

Description of Person Accepting Service:

SEX: AGE: HEIGHT: WEIGHT: SKIN: HAIR: OTHER:

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service**STATEMENT OF SERVER**

TRAVEL\$ ____.

SERVICES \$ ____.

TOTAL \$ ____.

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DocuSigned By: **Louis Lisi**
DocuSign Court Approved E-SignatureDATE: 05/15/2022
 L.S.
 2A2B5FCB347A413...

SIGNATURE OF **LOUIS LISI**
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

ATTORNEY: JOHN C. ATKIN, ESQ.
 PLAINTIFF: STRIKE 3 HOLDINGS LLC.
 DEFENDANT: JOHN DOE, SUBSCRIBER ASSIGNED IP ADDRESS 173.63.123.216
 VENUE: DISTRICT
 DOCKET: 2 21 CV 15651 KSH LDW
 COMMENT: